

# Notice of Allowability

Application No.

10/707,601

Examiner

Chih-Cheng Glen Kao

Applicant(s)

HEBERT ET AL.

Art Unit

2882

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/27/07.
2. ☒ The allowed claim(s) is/are 5,8 and 15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |                                                                                                            |                                                                                       |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)                                           | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|                                                                                                            | 9. <input type="checkbox"/> Other _____                                               |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas E. Donohue on May 22, 2007.

2. The application has been amended as follows:

In claim 5, lines 6-7, delete “, one of said circumferential features formed onto said central neck portion”.

In claim 5, line 8, insert --, one of said circumferential features formed onto said central neck portion-- after “in said x-ray target element”.

In claim 5, line 9, replace “adapted” with --configured--.

In claim 8, line 5, replace “adapted” with --configured--.

In claim 8, line 10, insert --configured to be-- before “securable”.

In claim 15, lines 4-5, delete “, said feature formed onto said central neck portion”.

In claim 15, line 6, replace “adapted” with --configured--.

In claim 15, line 7, insert --, said feature formed onto said central neck portion-- after “weight element”.

In claim 15, line 8, replace “adapted” with --configured--.

In claim 15, line 9, in the phrase “said target shaft”, replace “said” with --a--.

***Reasons for Allowance***

3. Claims 5, 8, and 15 are allowed. The following is an examiner's statement of reasons for allowance.

4. Regarding claim 5, the prior art fails to disclose or fairly suggest an x-ray assembly, including an x-ray target element comprising a central neck portion extending from an x-ray facing surface along an inner x-ray target diameter, and a plurality of circumferential features formed in said x-ray target element, one of said circumferential features formed onto said central neck portion, in combination with all the limitations in the claim.

5. Regarding claim 8, the prior art fails to disclose or fairly suggest an x-ray assembly, including a circumferential feature comprising a flange element positioned around and protruding from a perimeter surface of an x-ray target element, and a plurality of mounting bores positioned along said flange element, at least one weight element configured to be securable within any of said plurality of mounting bores, in combination with all the limitations in the claim.

6. Regarding claim 15, the prior art fails to disclose or fairly suggest an x-ray assembly, including an x-ray target element comprising a central neck portion extending from an x-ray facing surface along an inner x-ray target diameter, and a feature formed on said x-ray target element, said feature configured to receive a weight element, said feature formed onto said central neck portion, in combination with all the limitations in the claim.

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7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Cheng Glen Kao whose telephone number is (571) 272-2492. The examiner can normally be reached on M - F (9 am to 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Chih-Cheng Glen Kao  
Examiner  
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